

**United States District Court
District of South Carolina
Columbia Division**

PUBLIC INTEREST LEGAL FOUNDATION, INC.

Plaintiff,

v.

HOWARD M. KNAPP, in his official capacity as the
Exec Executive Director of the South Carolina State
Election Com Commission

Defendant.

No. 3:24-cv-01276-JFA

DECLARATION OF PHILLIP J. STRACH

I, Phillip J. Strach, am over the age of eighteen and understand the obligations of an oath.
Being duly sworn, I hereby state the following:

1. I am an attorney duly admitted to the practice of law before the United States Supreme Court, the U.S. Court of Appeals for Fourth Circuit, the U.S. Court of Appeals for the Fifth Circuit, and the United States District Courts for the Eastern, Middle, and Western Districts of North Carolina.

2. In 2000, I received my J.D. from the University of North Carolina. I was a Staff writer for the North Carolina Law Review, was awarded the Pollitt-Gressman Award for best oral argument and graduated with honors. I have been recognized by many organizations, some of these include as a “North Carolina Super Lawyers” and “Best Lawyers in America.”

3. For over twenty years I have practiced in the federal courts litigating various federal statutory and Constitutional claims associated with voting rights and redistricting. I have personally conducted more than twenty federal and state trials and have briefed and argued more

than a dozen appeals before federal appellate and state supreme courts on voting-related issues.

4. I am currently a Partner with Nelson Mullins Riley & Scarborough LLP in Raleigh, North Carolina office. Nelson Mullins is headquartered in Columbia, South Carolina. Hourly rates charged by our South Carolina location, utilizing experienced litigators like those who litigated for the Foundation here, command an hourly rate of 698.00 for this type of litigation.

5. Voting rights litigation touches on some of the most complex causes of action, both legally and factually. In voting rights litigation, multiple lawyers and paralegals would be assigned to the case and spend a significant amount of time thoroughly examining a wide range of facts. This includes, but it not limited to complex factual development of the legal record, analysis of expert reports, and highly technical (and often quickly evolving) legal theories.

6. I have reviewed the declaration of Maureen S. Riordan, in this case and believe the hourly rate used is eminently reasonable. Indeed, given the unique complexity of NVRA cases, the rates likely understate the reasonable attorney fees for this type of lawsuit, particularly considering my firsthand experience of the hourly rates charged by experienced voting rights practitioners. There are very few practitioners who are experienced in the issues presented in this matter. I am aware of the voting rights litigation that has been conducted by the attorneys at the Public Interest Legal Foundation. As a partner, who regularly reviews bills in these types of cases, I find the hourly rates charged and the hours expended to be reasonable.

7. In sum, based upon my personal experience concerning rates charged by lawyers throughout the nation, as well as the hourly rates we charge in Columbia, South Carolina coupled with and the issues involved in this case, the hourly rate here represents a very reasonable hourly

rate considering the nature of this case.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the above statement is true.

Dated: October 1, 2024.

/s/ Phillip J. Strach

Phillip J. Strach (N.C. Bar No. 29456)

NELSON MULLINS RILEY &

SCARBOROUGH LLP

301 Hillsborough Street, Suite 1400

Raleigh, North Carolina 27603

Ph: (919) 329-3800

phil.strach@nelsonmullins.com